

**STATE COMMITTEE OF INTERPRETERS
DIVISION OF PROFESSIONAL REGISTRATION
3605 MISSOURI BOULEVARD
Jefferson City, Missouri**

December 4, 2002 – Open Minutes

The open session of the State Committee of Interpreters was called to order by Loretto Durham, Chairperson, at 1:40pm at the Division of Professional Registration, 3605 Missouri Blvd, Jefferson City, Missouri.

Members Present:

Loretto Durham, Chair (via conference call at SLCC - Florissant Valley)
Carrie McCray, Secretary
Sandy Drummond
John Adams (via conference call)
Lisa Guillory

Members Absent:

Kim McEnulty

Staff Present:

Pam Groose, Executive Director
Roxy Brockman, Clerk IV
Lucas Boling, Assistant AG
Peggy Withrow, Contract Interpreter
Kelly Clark, Contract Interpreter

Visitors:

Mary Luebke, Flo Valley (via conference call from Loretto Durham's location)
Tom Flynn, Flo Valley (via conference call from Loretto Durham's location)
Nina Wilson, Flo Valley (via conference call from Loretto Durham's location)
Dan Betzler, arrived at 1:45 (via conference call from Loretto Durham's location)
Lisa Betzler, arrived at 1:45 (via conference call from Loretto Durham's location)
Kim Schaeffer, Interpreter at Loretto Durham's location
Justine Preston, Interpreter at Loretto Durham's location
Amy Fowler, MCDHH
Kim Davis, MCDHH
Roy Miller, Executive Director, MCDHH

A motion was made by Ms. Drummond and seconded by Mr. Adams to go into closed at 10:55am for #2,#3, #9. Ms. Drummond, Mr. Adams, Dr. Guillory and Ms. McCray all approved.

Review and Approval of Agenda:

A motion was made by Dr. Guillory and seconded by Mr. Adams to approve the open agenda with the addition of the October 15, 2002 open minutes. All approved.

Review and Approval of Open Minutes

A motion was made by Dr. Guillory and seconded by Ms. McCray to approve the open minutes from the September 20, 2002 meeting with changes. All approved.

A motion was made by Ms. McCray and seconded by Mr. Adams to approve the open minutes from the October 15, 2002 minutes with changes. All approved.

Statutes

-209.323 (HB1783) *The following is a comprehensive reporting of the dialogue that occurred during the discussion of this topic.*

John Adams – I've got a question about this for Pam and Roxy. Since this bill was signed and when it became active, I think Aug 28th, I'm just wondering if we've had anybody come into the office or send an application with just a NAD or RID certification and apply for licensure?

Pam Groose – I don't recall any.

John Adams– I'm just curious because right now our license has our level on it and with this taking effect, say a person moves to Missouri and they have RID, CI/CT now, when they come in and apply for licensure, will their license show RID, CI/CT as opposed to one of the Missouri levels?

Nina Wilson – I believe that you will show the Missouri changes but check with Dr. Miller.

Carrie McCray – I don't understand her question.

Loretto Durham – Nina's thinking that the certificate would have to be converted to the MICS system. So whatever conversion number they would give them the MCDHH would go ahead and issue them a certificate according to whatever that conversion.....

Roy Miller – I thought the question was what the license will show. Is the question about what the certification will show?

John Adams – No, the question was about what the license will show, like currently my license says comprehensive on it.

Roy Miller – If the question is what will show on the certificate for a person who has an RID, CI/CT and converts it to MICS, we can answer that. But if the question is what will show on the license, I have nothing to do with that in our office and I can't tell you.

Sandy Drummond – My understanding was with the passage of this bill that people who had certification from the Registry of Interpreters for the Deaf and National Association for the Deaf, did not have to be converted to the Missouri Interpreters Certification System, that this statute requires that the BCI recognizes the certifications as acceptable for licensure, and that these people can come directly to licensure – is that your interpretation of that Dr. Miller?

Roy Miller – That's correct.

Sandy Drummond – Okay, so when those people come here to apply for a license – it hasn't happened yet so you probably don't have a process in place yet for that – is it possible to have

their certificate printed on their license, similar to the way the Missouri certification level is printed on the license?

Pam Goose – Sure, we can have that added to the system. What ever we feed in there is what will print on the license.

John Adams – That's all I was asking, I was just curious.

Loretta Durham – Will that require a revision made to our application or does our application only say what certification you hold?

Roxy Brockman – I think there is an "other" on there, Loretta. I think they can choose other. We can update the application to include the certifications on there as a little check box.

Pam Goose – No, it just asks the person to check according to the Missouri levels, there's no other slot on the application.

Roxy Brockman – We can change that, that's not a problem.

Loretta Durham - Was there any other discussion that we need to have?

Sandy - Yes, if we're going to be licensing interpreters who have RID certification and NAD certification who have not converted to the Missouri Interpreter Certification System, then we need to investigate how those certifications are going to fit into the skill level standards sections, in order to determine how we want to view those certifications, as far as what skill levels they have and what types of jobs they can do. That's something that I don't think we can get resolved today, but that maybe we should put on the agenda for the next meeting, and perhaps get some information from the BCI on how they view the skill level standards in relation to these various certifications that are offered by the RID and NAD. I would suggest that we request that the BCI send us some kind of report on what their opinions are on skill level standards for these various certifications, how they fit in with the skill level standards that are already in place.

John Adams – Sandy, I guess I'm confused but I thought that the BCI or MCDHH determined the standards. I didn't know that we had anything to do with that, in terms of writing that.

Sandy Drummond - The BCI's responsible for defining the skills of an interpreter and we're responsible for enforcing their scope of practice, and so we need to have that defined. So whether they do it or we do it we certainly have the ability to do that, in fact we've been told before that it really should be the state committee that does that. I'm not particularly concerned about who does it or where it comes from but I can see there is a gap in the skill level standards because of this new legislation, that it doesn't address what if someone only has RID CI, so my concern was filling that gap and I think the BCI is responsible for defining skill levels and defining what skills are, as far as certification goes, so I thought that would be a good resource for us to get information from. Are you saying that we should ask them to just go ahead and generate rules?

John Adams – I was under the impression that, I didn't know that we could change the regulations, I thought that that was their territory, I didn't know that we could cross.....

Dan Betzler - Could I jump in here John and Sandy and maybe help out here. Actually with this statute here it kind of by-passes the BCI with regards to there is no conversionary process. But certainly you might talk to the BCI about the recommendations that were investigated early on, but when this statute came into play it said they could bypass the conversionary process, which

is what we mandate under the State of Missouri certification, and that RID and NAD could go directly for licensure and obtain a license. Does that make sense? Do you see what I'm saying, John, in regards to your question about the BCI governing?

John Adams – Yes. Thank you.

Dan Betzler – So I think that according to the BCI. I'm not speaking for the entire BCI – but certainly if you wanted to tap into some of the information that we obtained prior to, that probably could be a good resource. Prior to this statute, when we were trying to work on conversionary problems.

Lisa Guillory - I have a question. I'm unclear about the way this reads, someone can go straight to licensure if they have one of these certifications, but we're unsure about how it fits into the skill level requirements. Is the only reason we're worried about that is so that we can determine if there has been a violation of interpreting in a situation where you do not have a skill level? That's what we're concerned about? I mean from a consumer protection point of view we would be looking for a way to determine, in other words if a complaint was filed, we would need a way to determine that that interpreter had practiced in a situation that was above their skill level.

John Adams – Right.

Sandy Drummond – And the concern would be that, according to the State certification, there's highly detailed lists of things that people can do at various levels of certification. There is nothing that exists like that right now for NAD or RID certification. Also for the CDI, which is also one of the certifications that has to be recognized by the BCI and can be allowed a license by the state committee of interpreters. And so how do we want to view those certifications in light of the code of ethics which requires you to only accept those assignments for which you're qualified. We can certainly say they have to prove they have the training, education, experience, qualifications, blah-blah-blah, but there's been a lot of opposition to that approach in dealing with those types of decisions. We need to have a very in depth discussion about how we're going to deal with these new certifications that are being allowed to be licensed in Missouri, compared to the state system. I don't think we can resolve all of that today but I do think that we need to set a road map to our discussion for next time about that. That would be my suggestion. We certainly have it on the agenda, we could discuss it right now if we want to but I understand that someone has to leave at 4:00 today, and I think it will take a very long time to discuss that issue. I just needed to make sure that it was raised, that skill level standards are something that is not addressed when it comes to RID certification, NAD certification and for the CDI. Some time we need to take a look at it and decide how we're going to deal with those things.

John Adam – I agree with you Sandy and I'd like to put that on the agenda for the next meeting and also requesting from BCI their information for conversion, how they determine conversion so that we could kind of use that as a sort of guide.

Sandy Drummond - I think that 's great. Was that in the form of a motion? I'll second it.

Ms. Groose - So what does he want from the BCI?

John Adams -- To request from BCI their policy or procedures for converting RID or NAD certification into the Missouri interpreters certification system, their standards for how they converted that for us to use as a guide, and helping us with this issue. Does that make sense?

Roy Miller – Why do you need to ask that? We can tell you that right now, right here, that's a critical thing.

Sandy Drummond – Well, let me just say, you can tell us, but we still need to discuss it.

And I would love to have it in writing or whatever, I'd like to have material, I'd like to be able to devote all my attention to that matter. Love for you to be there when we discuss it – did you just want to let us know what the BCI policy is right now? We can certainly take that but I'd love...would you still send us your information in your policies or minutes or wherever you keep that information?

Roy Miller – I want to talk a little bit about this issue area because I have some very strong feelings about this, and maybe some history that some of you don't necessarily know about. When this particular statute was amended last year, there was a long series of convoluted activities in the legislature that resulted in the written case that you're looking at. You need to go back and understand for sure a little bit about how that got to where it is. When I first came here I clearly indicated that I was in full support of recognition of our national certification entity, that that was not an issue for me. That I was trying to move us in the direction, of in fact, of being able to utilize the national certifications in our system. It took a while but after a length of time the BCI agreed to convert RID and NAD certifications. At that time we went to Senator Simms and in fact gave her language for this conversion. We thought we had a done deal at the time that we talked to Senator Simms and after it was all prepared. At the very last minute the senator, for reasons that I think some of us are all aware of, changed the language that her and I had agreed upon. And that language became the language that you now look at in the statute. It was not language of conversion of RID and NID left with the mandate that they go to the MCD office and get a converted certificate, it became a language that you can pass that office and go straight to licensure and they'll recognize your certification. I vehemently objected to that at the time and I still do. That by the way has done absolutely nothing but create the problems that you're now starting to think about. If RID people had to go to our office and convert, the system could continue just exactly as it is, no hassles. We would know that when we give them a level five, level four, or level three it gets with the skill level standards rule. Now you've got a case where somebody comes to you with an RID CI/CT, you're law says you have to recognize that, but none of us know what that means. Does that mean that you've got to give them a license – yeah, give 'em a license. But at the same time we've got in the hopper a rule with the Secretary of States office, which is the skill standards rule. There is no where in the skill standards rule a CI/CT or CSC, so now the person has a license to work and they work. This statue now says that you've got a CDI, you can go straight to licensure and get a license. Where can a CDI practice, CDI is not mentioned in our skilled standards rule, and they couldn't even convert it because right now our rules do not say that we'll give a CDI. It's now become a very, very muddled issue. And I guess that I'm gonna to suggest that I'm going to try and resolve this issue by going back into the legislature this spring, and re-inserting that one sentence that got removed at the last minute last year, that requires RID CTI, requires NAD people to go to MCD and we may not charge them an arm and a leg to do it, but we'll convert and go on with our process exactly as we are. That's where I'm headed.

But in terms of how we presently would convert if a person holding an RID CI/CT came to our office, gave us a copy of their certification, what would we do if they said we want to convert it, we'd convert to a 4. BCI's logic was simple. They'll give the highest to the highest in all systems. NAD, a five, becomes a MICS five. RID, a CI/CT plus legal, becomes a five. A CI/CT alone becomes a four and a CSC alone becomes a four. Does that answer your query about how we presently would convert it, if anybody came into our office and asked to convert? I'm curious, Amy, have we had any conversions yet? We've had one I thought. Two?

Amy Fowler -- Three or four I think.

Dr. Miller -- We have had several actual conversions where they came to our office, paid their fee, and got converted. And they now have their MICS.

Sandy Drummond – My only concern is that I don't want to leave this too long. There are no guarantees as far as your pursuing those changes that you were talking about earlier, and as you said we've got a rule in the hopper that says you can't interpret beyond your level of certification, and so I think it would be very useful no matter what the end result is, for the State Committee and the BCI to talk about what we mean when we say level three and – I know it's all listed there – but how does that compare to a CI or a CT. I think that would be a good discussion for us to have anyway. And so I don't see any harm in talking with the BCI about those things even if the end result turns out to be something different. And I would like to see at least some dialog between the state committee and the BCI about the skill level standards, and how that would relate to CDIs and how that would relate to RID and NAD certification. I don't know how that should happen – at the very least we need to have a copy of the conversion policy or something, that would certainly be very useful to us. I would like to meet with them, maybe subcommittees of both groups could get together and discuss the skill level standards and discuss how the BCI views NAD and RID certifications. I think that would be useful to us even if we never have to worry about it again.

Pam Groose – But what would they tell you. If they already have something in place on how they convert, then that would be their position on what these certifications equal skill level standards.

Sandy Drummond – They don't have anything on CDI certification because there wasn't anything like that before, so we need to discuss that.

Dan Betzler- The process that the BCI put together was after hours and hours and hours of discussion in regards to how each member viewed the NAD and the RID certification. Perhaps some discussion may be beneficial in regards to how the end results was obtained. It was through much compromise I believe.

Sandy Drummond – I'm not sure where to go with this next. So I'm assuming that what we're all saying is that we don't really need to meet with the BCI that for all intents and purposes their policy is already in writing and we don't need to discuss it and so we can just get a copy of that policy and the state committee can meet on this topic at the next meeting? Is that what we're saying?

Loretto Durham --That's what it sounds like to me.

Carrie McCray -- I'm still unclear about CDI stuff, though.

Sandy Drummond – Well, in other words we can make that decision in our next meeting. That's the impression I'm getting, is that we can discuss that at our next meeting. So I would make the motion – or maybe John already has – I think I encouraged John into making a motion he didn't really want to, but as far as putting this as a topic of discussion at the next meeting, and we will ask for a copy of the conversion policy from the BCI, and we'll just leave it at that?

John Adams– I didn't mind making the motion. I didn't realize I was making it.

Sandy Drummond – I know, I was kind of tricking you into it at the time, I think.

John Adams – I'll 2nd that

Nina Wilson – I would still like to suggest that someone from BCI, Amy Fowler, or Roy Miller, or someone do go to the SCI meeting with the conversion policy just to make sure that it's clear and there's no misunderstandings about what is written, no misunderstandings about the communication, so that everything is clear. I think someone from BCI or MCDHH, someone should go to that meeting, and discuss those issues. I think it would be a benefit to have someone there for clarity who could explain the reasoning and that way SCI, with perhaps a convoluted concept of their power, might clearly understand, how we expect conversion to happen and perhaps more reasonably work with BCI.

Sandy Drummond – Dr Miller and Amy and Kim are all here.

Nina Wilson - I just think SCI and BCI should be working together, that is my opinion and it doesn't seem to be happening at this point.

Sandy Drummond – I'm sorry, I'm getting confused because I requested a meeting with the BCI and I was told by the Executive Director sitting here in our office, and by Dan Betzler who is a member of the BCI, that that was not necessary, that that policy had already been written and it could be given to us in writing. That's what I was trying to clarify, I agree with you I think the BCI and the SCI should work together, I proposed that and I didn't get favorable response. So I'm just trying to plan the next step of action, to get moving on this and I agree that the BCI should be represented at our meeting, I think they should be represented at all of our meetings, and I encourage them to participate in the next meeting. And I'll be going to the next BCI meeting to report on what happened at this meeting, like I always do.

Dan Betzler – Sandy, I think you misunderstood me – and that's why I'm a little surprised at your response. What I was trying to say is that I think that because of the hours and hours of discussion before the end result, that maybe you could benefit from some of their decisions or some of the different opinions, of the BCI. It did come – the conversionary policy was developed after many hours of discussion. But I think you might be able to benefit from the different opinions of the members of the BCI so I was trying to actually recommend that you do come to the BCI and talk about how we came to that end result. For some reason that was misunderstood and it probably was because I'm difficult to hear. My voice is kind of low. Can you hear me now?

Sandy Drummond – Yes. That is what I was looking for, and I did not understand that. Great. Great, I would like to meet with the BCI, I would like to discuss this in person and get some kind of consensus before our next meeting, if we can, but whenever that needs to happen that's great, that's what I was looking for, so I was very confused.

Dan Betzler – There were many different opinions from the BCI in these discussions and so it was after many hours and some compromise, and so that's why I thought it might be a good idea for you all to come, or talk to the BCI, in regards to some of the different viewpoints, and how they came to this end result.

Sandy Drummond – I agree, so I'd be glad to rescind my 2nd or however we need to get that done, that was my goal – I wanted to meet with the BCI and get, like, a work group on it, started on it before we have to make any decisions later on, so I would like to see that happen.

Dan Betzler – When this action came to play it made our conversionary policy somewhat of a moot point, in regards to a license can be obtained now without going through conversionary process.

Sandy Drummond – So can I ask a question? First of all I think we have a motion on the floor and we should probably put it to rest. We don't have another meeting date set, but I would say that the motion is to discuss this at our next meeting, and there's no reason that can't be put on the agenda for the next meeting, we don't have to make a decision at that meeting, so I would say let's go ahead and take a vote to put that item on the agenda for the next meeting, put that to rest, and then talk about how we're going to meet with the BCI to start investigating this stuff. Does that sound agreeable to everyone?

Lisa Guillory -- Do we actually need a motion to put something on the agenda at the next meeting?

Sandy Drummond – Oh, is it just an administrative thing?

Pam Goose – Yeah.

Lisa Guillory -- We don't need a motion to put it on the agenda and don't we have a motion on the floor? But I'm so lost I don't know what that motion is anymore.

Sandy Drummond -The motion was just to put it on the agenda and request a copy of the conversion policy.

Lisa Guillory -- And we don't need it? Don't need the motion to put it on the agenda?

Pam Goose -- We need the action not the motion.

Sandy Drummond – So John, do you agree it's okay for you and I together to withdraw this motion?

John Adams – Sure.

Sandy Drummond – Okay, great, so withdrawn. We do want the item on the agenda. It's over. I do want the item on the agenda for the next meeting. But now we don't need to worry about motions on the floor, can we discuss meeting with the BCI, getting the conversion policy, at this time, is that okay?

Loretto Durham -- Do we need to make a motion or is it just an administrative action to request that information from BCI?

Pam Goose – It doesn't have to be a motion.

Sandy Drummond – Can I ask a question? When is the next BCI meeting? Should I address this to Dr. Miller?

Dr. Miller – It's not been set up, not yet. Probably at the end of January. Probably.

Sandy Drummond – Can we go ahead and set a date for some kind of subcommittee meeting, in January, where members of the BCI, members of the SCI could attend but we don't have to make any decisions, we're just having a subcommittee meeting? Is that allowed Pam? For us to get together with the MCD office and some of the BCI members to talk about the conversion policy so we can bring that information back to the next state committee meeting?

Pam Goose – As long as I know about it and post it.

Sandy Drummond – Dr. Miller, would you be willing to host a meeting like that at your office?

Dr. Miller – Of course.

Sandy Drummond – Are there any dates that you would suggest or certain times of the month of January that you would suggest? Do you want to do it at the next BCI meeting?

Dr. Miller responded but could not be heard over the tape.

Sandy Drummond – And the other option is, I don't know when the next state committee is because we haven't scheduled anything beyond today, but we could certainly do it before, or after, or even during the next BCI meeting, if that's something that's agreeable to you. Or if we don't want to run into your agenda we can plan it for a different day. It's completely up to you and up to the BCI.

Dr. Miller – It's not really my decision, Sandy. I'm willing to take that question to the BCI and ask them if they would be willing to have a meeting as a part of their time.

Loretta Durham – We can not hear Dr. Miller.

Dr. Miller – It's not really my decision as to whether or not a subcommittee with BCI is willing to take time out of their meeting. I will take that question to them and get back to you and let you know what they propose, okay?

Sandy Drummond – Okay. My only concern is that it takes so long to get something scheduled because our committees each have bi-monthly and quarterly meetings. Can we come up with a list of dates that people would be willing to meet in Jefferson City to do this kind of thing? I'd be willing to meet any time in January. Carrie says she's willing to come. If other members of the State committee wanted to come then we could offer a list of dates and times to the BCI and to the commission office and that way....

Mary Luebke's voice – I would like to say that Dr. Miller has already reiterated several times he'd like to contact BCI and let you know, that's what I would suggest you do.

Loretta Durham – Sandy, what I think would be a good idea is if we can go ahead and let BCI know what are good dates for us and they can decide if any of those dates are good?

The committee members discussed dates available to possibly meet with the BCI. January 15 and 29, 2003 between 10:00am and 4:00pm were given to Dr. Miller

Meetings

Upcoming -- Town Hall Meetings. *The following is a comprehensive reporting of the dialogue that occurred during the discussion of this topic.*

Mary Luebke – Hi everybody. Because of the shortness of the arrangement of this meeting we had some problems arranging interpreters. We now have (name of interpreter not understood on tape) present here who can interpret exclusively for about 35 minutes. So I would like to request of the committee that they deal with the practicum issue while having interpreters here which will free Dan and I up to participate in the actual meeting.

Sandy Drummond – That's fine with me. Do we have to do anything to change the agenda around?

Pam Goose – And I suppose the town hall meetings are included.

Carrie McCray – Yeah, that includes the town hall meeting info as well.

Pam Goose -- That's what that town hall meeting is all about. So they want to bump number 11 up, is that what they're saying? Are we finished with the agenda item statutes, number five?

All – Yes.

Sandy Drummond -- So on number 11 we were planning on how we're going to deal with the town hall meetings and get those meetings set up?

Lisa Guillory -- Do we just need to agree on this date? I mean it's been proposed and supposedly we can get the auditorium?

Pam Goose – Kim provided an e-mail in regard to her because she couldn't be here, so I think before we talk about the town hall meetings I need to throw this out. If she were here I guess this is what she would be saying. "This is in regard to student interpreters. After much consideration, discussion, and a conference call to various community members, I believe the that interpreter training programs that are housed under the higher education institution have created programs and internship opportunities that have been successful. We have gathered much information from the interpreter training programs regarding how they operate their practicum internship programs. I believe that regardless of where a student interpreter receives their education and training, that supervision and guidance is provided and maintained at all times regardless of what level of work that the student interpreters aren't interpreting within. I feel that to undertake town hall meetings will be a direct insult to the higher education institutions that have developed, established, and maintained these interpreter training programs. Essentially what we are saying is that their programs are ineffective. We have voted to exempt student interpreters from licensure while under the guidance/supervision of an interpreter training program. I believe that when students undergo internships and practicum opportunities that they are all under the direct supervision of the institution whether it be in the institution itself, the program director or coordinator of the instructors or the interpreters of the program. I believe that the interpreter training programs within the higher education institution not only looks out for the best interest of their students, but also of the community, both the deaf, hard of hearing and the hearing. If the student interpreter should accept an assignment outside of the institution without the guidance of a mentor or certification and license, then it would be the committee's responsibility to seek disciplinary actions at that time."

Pam Goose -- We also have another e-mail that came in today.

Lisa Guillory - Okay, this is from Angie Gagliana. On behalf of the students at Flo Valley Community College, my intention was to attend this meeting today and support our stance on the issue of mentors for practicum students. But now it's snowing and I can't get away. I wanted to observe the meeting and be exposed to the current issues in this growing profession. All Flo Valley staff who attend have a plethora of students supporting their case. We move to throw it out. Thank you and have a nice day.

John Adams – And actually as long as we're on this topic I have some information I'd like to share. When we first started discussing this I kind of got a funny feeling in the pit of my stomach thinking that it sounded like we were dictating to the schools how to run their programs. And

then at the conference call that same comment came up from several people, that we were telling a state accredited institution how to handle their students. I wasn't sure what our stance was and if it was allowed. I contacted the Missouri Board of Higher Education looking for information on what do they do, how are the schools are accredited and how do they approve the programs that the different schools offer. I've gotten an e-mail response back actually after I called them with this Dr. Cleo Samudzi and so we talked, I proposed a hypothetical situation to him to try and get some answers, and he proposed one back to me. And this is what he had said, suppose University of Missouri - Rolla, wants to start an engineering program. The department would get together they would look at various programs around the country and they would look at some national standards for organizations that accredit or certify or different organizations to which engineers belong to, and the standard that they hold. They would develop their program with all those standards in mind. Once they had their program set up they would pass it along to the school board of regents or the trustees of the schools administration for approval. The school would then review it all and if they approved it they would pass it along to the Missouri Board of Higher Education, who would then also review it. If there were any changes to make they would suggest those changes, they would also review the national standards, national organizations of what is considered to be the standard for excellence for that career. Once the Missouri Board of Higher Education approves the program, it goes back to the school administration, they give it their final approval and then the department is allowed to begin that program. Since all that has been approved then the state committee of engineers can't come along and say, 'your students must take these certain classes in order to be considered a working engineer'. They can't come back and do anything that would alter their curriculum. They can address the school administration and say that this is a flaw in the program because of the stress, because your students aren't taking these classes, which means they're not prepared for life as a professional engineer. But they can not go out and create a new rule or create a new law that contradicts what has already been approved by the state as an acceptable program. The programs themselves have to make that change, and again go through the process of applying to the school's administration and the Board of Higher Education to have that change formally approved. So in this situation it sounds like that by writing a law saying a student must be accompanied by a licensed interpreter, would be changing how some of the practicum programs would be set up, in which case it would change their curriculum, which we can't do.

Sandy Drummond – One of the things that I've always tried to get back to is that the committee needs to just focus on protection of consumers, not on educational philosophy, and I thought at the last meeting that we had decided we would leave the issue of whether or not consumers wanted to be protected in certain situations up to the consumers, and the way we would do that is by town hall meetings. I'm still in favor of doing that, I'm in favor of allowing that decision to be made by all the consumers in our state, representation from all over the state, and I thought that we were prepared to prepare presentations for those meetings, but if we're saying that we don't even need to go there, I would say that at this point I still think it's an issue of consumer protection not educational philosophy, I would also point out that there has not been an accreditation process specifically designed for interpreting until very recently. There is a self study review process offered by the Conference of Interpreter Trainers and they just recently voted to create an accreditation council and very soon there will be accreditation offered to interpreter training programs and I would feel very comfortable with saying, any program that's accredited by the CCIE or whatever the accreditation council ends up being named, their students are exempt from licensure, I have no problem with that at all. It's my understanding that there is no other accreditation process designed specifically for interpreter training programs, I may be wrong in that, I do know that many of the colleges and universities that offer interpreter training programs do have accreditation from – for instance in our area – the North Central Accreditation (the NCAA) for our region, so that's information that I would need to have, but my concern is not about changing curriculum, telling interpreter training programs what

classes they need to offer, or how they need to teach them, the concern of the committee should always be focus solely on the protection of consumers.

Loretta Durham - And that's exactly what Lisa's comment is about.

Lisa Betzler -- Sandy, I'm talking to you, okay? Licensure is wasting time – no license, no license. You guys are licensure people, you're breaking the code of ethics. What I am saying is you people are wasting your time worrying, worrying about people who don't even have a license, focus your attention on people who do have a license. There are several people with licenses who have broken the code of ethics – who have done all kinds of things – you are not protecting those consumers. What you're doing is focusing your time on what's important to you. I understand that your mother and father are deaf and that you want to protect them, but you don't need to protect everybody. You don't need to protect people involved in education, grow up, you are wasting time and money – stop worrying about what's going on with people who don't have a license, and deal with people who do have a license, that's your job.

John Adams – If I may, Sandy, I agree with you. I want to protect the consumers too, but by asking the consumers, doing these town hall meetings and asking if this is what they want, we still can't promise them – okay, we'll write a law or rule that says students must have a licensed interpreter with them, because by doing that unless it is part of the practicum program for the 3 colleges here in - -

Lisa Betzler – What would you do? What are you going to do, you ask those questions and what are you going to do? The problem is you can't tell higher education and colleges what to do. It's a waste of time, it's a waste of money, it's a waste of your time.

John Adams – And Lisa that's a point I'm trying to make. That it would be – we could have the town halls and we could ask the consumers what they want – then the only thing we can suggest is for the consumers themselves to go to the schools and ask the schools to change their programs, because we can't tell them – we as a state committee – can't tell the state how to run it's program.

Sandy Drummond - I have a misunderstanding, then because I understand there are other professions that also require licensure of their students or require supervision. I understand that cosmetologists require their students to not do any work without the supervision of a person who's licensed or without the supervision of someone in their school. So I understand that this was certainly not required practice of all licensed professions in the state of Missouri, but there are other professions that require - -

Lisa Betzler – To educators. It is higher education's responsibility to deal with students, this is not your responsibility. Worry about individuals who have a license. Who are breaking the code of ethics. Worry about them, please.

Loretta Durham – I know that with all of this controversy if we went ahead with town hall meetings, collected all of that info, what are we really going to end up with? Not a senator in the world is going to sponsor a bill or law or whatever, with this much controversy around it. Is there any way that we can just go back to what everyone said was originally agreed upon that level 1 would not be required to have a licensed interpreter with them, none of the practicing students would be required to have a license at all, and level 3, 4, and 5 jobs that a practicum student went on would be required to have an interpreter with a license with them. And then we would be back to just trying to figure out what we would do with the level 2 jobs – can we go back to that discussion? Okay I don't know if you guys are still there because we can't hear anything?

John Adams - That's fine with me, Loretta and I also have another possible suggestion.

Loretta Durham -- Nina had her hand up and I just couldn't hear anybody before, I was going to tell you she wants to talk, would it be okay if she talks and then I'll get to you?

John Adams – That's fine.

Nina Wilson – Okay, everybody concerned in the SCI - a few people – let me go back, here. What I would like SCI to know is that yeah, you have a few deaf people, a few people in the community, who may ask a few questions, and maybe those people are interested in a town's hall meeting. If you want to know about interpreters, if you want to know about mentors, if you want to know about things and all of that crap, okay, but deaf people are saying to me, I'm telling you, leave it alone, let the other colleges handle their own business. Deaf people are saying to me that's not something I'm interested in a meeting. The deaf people I talk to said that all I'm interested in is exactly what are the rules, but you're confusing issues. Licensure should deal with, just what Loretta said, the issues. Focus on the issues that concern licensure. Students, Flo Valley, or any other interpretation program any where, can focus on how to deal with their program, it is clearly two separate issues. So what I'm saying is, I agree, SCI should and it is fine if they want to protect the consumers, but as well they should be protecting hearing consumers also, not just deaf people, so my feeling right here is focus, please focus, on people who have graduated and are working and have levels, and maybe have licensure, sure, those people should have mentors. When you're talking about interpreter education programs, feedback and support and all those things are important, but mandating and requiring what licensure is going to tell mentoring and what they're going to do is not your interest and it clearly conflicts with the operation of ITP. The issue should be separate. So when you're talking about town hall meetings and going around, deaf people that I've talked to said why are you even doing that? What's it for? What's the point? What's it for, that's what I hear all the time when I bring this issue up, so what I'm saying to you is, I'm asking you, will it be worth all the time – your time – the ITP's time – the licensure's time – interpreter's time – I'm asking you, what do you think? Will it be worth it?

John Adams – Going back to protecting the consumer, overlooking some of the previous minutes, that was predominantly a team of these students are going out, supervised, unsupervised, either way – but we have no actions that we can take if somebody complains against a student. There is a way for us to change the ethical rules of conduct, which is chapter 3 4 CSR 232-3, to include in number 1 “and students enrolled in an interpreter training program at an accredited institution of higher education” and I actually meant to send this but I got two versions of it (John, can you repeat that number please?) – sure it's 4 CSR 232-3.010. It's the ethical rules of conduct, page 11. We're in number 1 paragraph 1 where it says “ethical rules of conduct shall apply to a licensed interpreter” and so on. After the words “applicant for temporary licensure” add the words “and students enrolled in an interpreter training program at an accredited institution of higher education.”

Loretta Durham -- The problem's going to come - if we're requiring them to follow the rule of ethical conduct, #2 says “maintain a current certification”. Well, they'd have the current practicum certification...

Sandy Drummond – But they'd have no license for us to pursue a discipline against.

Pam Goose – True.

Lisa Betzler -- I just want to have you think, imagine a deaf person goes into a hospital. Imagine there's no interpreter anywhere. And a nurse shows up and she knows a little bit of sign

language, you know, pretty good. Okay, she has no interest in being an interpreter at all in her life, but she knows it and she goes ahead and interprets. Are you going to punish that nurse? What are you going to do? There's nothing you can do about that. Which one's worse - ?

Loretto Durham - Lisa, for that specific situation we could actually get an injunction against her, we could go through legal proceedings, and tell her that she's breaking the law, we could take legal action against her if we found out that was happening, so that she could no longer interpret.

Lisa Betzler – Okay, what if it's my neighbor? My neighbor can sign and I take her and go to the hospital. What are they going to do to her?

Loretto Durham -- If the doctor's complain, if the complaint came to the state committee, then we would know about it.

Sandy Drummond – I wanted to get back to Loretto's earlier recommendation that we look back at the motion we made, actually I made that motion back in July, that we require supervision of students at levels in situations that require level 3 and 4 and 5, that we exempt student interpreters in the situation that requires a level 1 certification and we had not yet decided what to do with level 2? And again I just want to tell you what my feelings are on that – I personally have no problem with that. I didn't have a problem with it in July or I wouldn't have made that motion. But the deaf people in my area are telling me that that's not a good idea, and so I'm seeing conflicting views, and conflicting representation among the deaf community on this issue. That's why I was perfectly willing to do the town hall meetings, I thought it was a great idea to get representation from deaf people all over the state. I still think that's a good idea. I personally am willing to compromise on the level 1, level 2 situations, I don't have a problem with that. My concern is that I have to represent the deaf people in my community. This is all I've heard from the deaf people in my community. We have not yet heard from people in Kansas City or Springfield, and so I really feel like we need to offer them an opportunity to respond to this issue so I would personally like to see us offer an opportunity to those people in Kansas City and in Springfield, and I have a contact in Springfield who's arranging a meeting there, and I think it would be a very useful meeting, just for the state committee to go to those parts of the state and visit with the deaf community and interpreting community there, even if we don't have to talk about these issues, I think it's still useful for us to be there. So that doesn't discriminate in any way from going to those areas. I don't see any reason not to ask the people in Kansas City and Springfield, I think it would be very useful and I can't see any reason that we should not go there.

Mary Luebke – I'm speaking for myself now as the program coordinator. I would like the committee to drop this entire issue, to table it, drop it, and the reason I would like to do that is because it is promoting an immeasurable amount of ill will. It's dealing with issues that are questionable, at best, if it falls underneath SCL's responsibilities. As far as being coerced into having organizations come in and examine as to how programs are run, that would be a decision of the institution. I respect and belong to the conference of interpretive trainers, but we're in the middle of a budget crunch and the expense for that kind of thing, in addition to many other issues, should be the decision of the institutions. What recurs here and what I would ask the committee to hear over and over again, is we're in state budget crunches, you are proposing to spend money concerning an issue for town hall meetings and travel and food for an issue that does not concern individuals who are licensed. You have two things going here – first you're dealing with higher education and secondly, as a consumer and a taxpayer in Missouri, you're wasting my money. This makes me very suspect of what is the State Committee of Interpreters doing concerning interpreters who are working the field with deaf individuals and hearing individuals who have issues on the table. My questions is, do you have

issues on the table you are not dealing with, because you are dealing with the issues of people who don't even have a license yet. This is becoming larger than the issue you began with and I ask you to consider where is this going? Should you continue to pursue this? I think this is much larger than anything you considered in July, I don't think it's going to go away, it's a monetary issue, it's a good will issue, it's an issue of higher education, and you are taking this to levels that you may not have thought about in July. I don't want you to deal with this issue, I'm asking you to table it. If you still feel it's your issue, then that is fine, pursue it, but it is my considered opinion that this has grown far beyond anything you thought you were dealing with in July and if then, you can't see why that's a problem, then I can't understand where you're at. Protecting deaf individuals is one thing – carrying out your mission is quite another. We will carry out the commission of higher education. Should we decide that we want to have any organization come in and look at us, we will make that decision. This is not something I'm saying as an individual. We also have spoken with the individuals here at our college and other colleges and with lawyers. What I'm saying is you're wasting time, money, and good will, trying to prove a point and if you think the point is that important, please go ahead and pursue it. But know the strong feelings that are attached to you continuing to push this issue.

John Adams – I'd like to respond. Mary, the issue here for us as a committee is the way the law is written. The law says that anyone who is an interpreter must have a license. It doesn't delineate between professional or student. So possibly another suggestion that we, the committee, should discuss is looking at the definition of interpreter, and come up with some language for that that removes students out of that definition. And that way that would solve this whole issue, that way when the law says an interpreter must be licensed, you look at the definition of an interpreter, and you notice it says, "a relay operator is not an interpreter or a person providing operator services is not an interpreter or is not considered to be interpreting" and maybe we need to look at language to add to that definition that says "and students enrolled at an accredited institution holding – or involved in a practicum course – is not an interpreter". And we change the definition of what an interpreter is. That's another suggestion. And quite possibly an interpretation of that definition of an interpreter is someone that renders interpreting services, implying that they are trained, experienced, hold current valid certification and license to practice interpreting in this state. A student isn't experienced in interpreting doesn't hold current valid certification and license, other than their temporary practicum certification, so does that in and of itself exempt students?

Loretto Durham -- Is that a legal question that we need to ask our attorney?

John Adams – Oh sorry.

Loretto Durham -- It just sounded to me like we were getting into the legal arena there.

Lucas Boling – Well, I'll not be giving you an answer today, I was going to say is that it would be something that if you would like our office to give you an opinion, I would like some time to look into that.

Loretto Durham - I think that would be a great idea.

Sandy Drummond – The concern is also always then the definition of "interpreting" which is number 15 on that same page, and in our law it says anyone who doing the act of interpreting has to be certified and licensed by the state. There are certain exemptions to that requirement but the definition of interpreting clearly defines an act that student interpreters do. And that's the reason that this whole time we've known that students need to be covered in the licensure law somewhere to either exempt them or to license them or to make some provision for them,

because currently the way our law is written, they are viewed as unlicensed interpreters. Because of the definition of interpret, not necessarily the definition of interpreter.

John Adams – Then maybe another suggestion would be to add a new definition, saying student interpreter, and that a person that holds a practicum certification from a MCDHH, is not considered to be an interpreter or in the act of interpreting. I'm just throwing things out for discussion and/or something to think about.

Loretto Durham – Is that a motion?

John Adams – No, it's a request for you to think about it. It's just a request.

Loretto Durham – If it is a motion and if we could get a 2nd on that then we could discuss that, or just discuss it now.

Lisa Guillory – Loretta, Dr. Miller would like to speak.

Dr. Miller – I appreciate all the sincerity and the honesty that have gone into trying to deal with this issue. It's not an easy issue necessarily to resolve. I read through very carefully the minutes of the last two meetings, because admittedly I thank whoever typed all of that up, I do a better job of following the written word than I do of following the flashing hands of my assistants. I only have a few thoughts at this time about this issue. Number one, it's become very clear that too many people are confusing mentorship and supervision. These two issues have to be very clearly conceptually separated here. This issue has nothing to do with mentorship. You can be a mentor under a lot of circumstances – who cares – all of that is over there. This issue only has to do with intern practicum students in recognized ITP programs in our state. Having said that, I try to figure out why is it that there is such violent and convulsive and emotional disagreement on this issue. I think one stems in part from the difference in belief about the appropriate role of the state committee. Sandy has many, many times prefaced a comment with "in order to protect the consumer". I want to suggest that that's not necessarily the appropriate role of this committee. It's one role of the committee but it's not the mission of this committee. If you read through your statute you'll discover that there is a section there about you got to have a license, then there's a section there about developing rules for obtaining licenses. These, etc., then there's a section about temporary licenses. Then there's a section about filing complaints about people who don't have a license, etc., etc. But no matter how I read it the focus of the statute of this committee is giving licenses and investigating and censuring licenses. It's true that you do that because you're trying to protect the consumer. But the mission is focused on licensing. I want to give you a very simple example – I'm going to take my friend, Kelly, over here. I'm going to pretend – this is not real by the way, this is a pretend – let's pretend that Kelly wears glasses and that she doesn't see too good without her glasses on, she makes mistakes, things are a little fuzzy, etc. I might want to write a statutory provision or a rule that said "Every interpreter has to wear their glasses at the time of their assignment." I'll give you that as a mandate and give you the right to say that every interpreter would be violating the law if they don't have their glasses on while they're on assignment. I seriously doubt it and I doubt that any of you would in fact sit here and talk about developing a rule or what have you that says the interpreter has to have their glasses on. I think we can go even further and say there are a lot of interpreters who may have not gone to their eye doctor for the last two years. And their vision has changed and they need glasses, they don't now have them but they need them. If my goal and intention was to protect the consumer under any and all costs, I'd write a rule that says every interpreter, in order to renew their license, has to provide proof that they've gone and had an eye glass inspection, a vision inspection. That would be protecting the consumer. It has nothing to do with licenses. Now having said that I think that this committee on this issue has gone over the line, that you've gotten a little too far towards trying to protect the consumer, and that that's your

vision, rather than your responsibility here under the statute, which is to issue licenses, provide the application provisions, fee structure, the complaint procedure, and the disciplining procedures for licensing. I honestly think that you've stepped over into a whole new area that Mary Luebke has very appropriately talked about, and that is that you are trying to tell the universities how to run their programs of instruction under the guise of protecting the consumer. I honestly think that your eyes have gotten moved a little bit for good reasons, or good heart, protection of the consumer is a very laudable desire. But you can't – believe me – you can't protect the consumer under any and all circumstances. And the consumer doesn't want you to try to protect them under any and all circumstances, and you certainly don't have a statutory responsibility or authorization to protect the consumer under any and all circumstances. I would urge you to basically to drop this issue from the agenda. I think that it's basically a stall horse issue that may have affect only a few people. It's not worth the time, the effort, the resources that are going into it, and that you need to focus on licensing and our responsibilities in the area of licensing. That's all I have to say for today, thank you for listening.

Lisa Guillory – Sometimes I have a hard time giving my opinion in these meetings because I'm not an interpreter and I'm not deaf, and sometimes I'm crucified for what I am. But regardless of how everybody feels about this issue, when it comes to their own emotions, we still have a problem with the way the law is written, and so if the way to get rid of that problem is to put something in the statute that says students are exempt, then perhaps that's the way to go. And I just want to throw that out.

Loretto Durham -- Why don't you make that in the form of a motion and see if we can get a 2nd for it?

Lisa Guillory – Okay. I move that we amend our statute to exclude students in the definition of interpreter. I don't know if we need to amend the definition of interpreting also, but if that is necessary to amend the definition of interpreting, to exclude the practicum assignments that students have.

John Adams – I'll 2nd that

Loretto Durham – Okay, I think we're going to need to work on the language of that.

Carrie McCray – I'd kind of like to get the info back from the Assistant Attorney General's office that they said they were going to give to us before I make a decision on that possibility.

Loretto Durham – Okay.

Lisa Guillory – Well, perhaps what I should do then is withdraw the motion and we can ask the AG's office to give us some guidance on how to interpret number 13 and number 15 in light of the responsibilities of students, and the activities of students. Is everybody in agreement with that?

Sandy Drummond – We've already had that done, it's been done 4 years ago and then last year, it's been done many times. So I feel if we're concerned about wasting time and money that postponing the issue is just another example of wasting time and money. It's always been my understanding that we either need to exempt students or we need to license them, one of those two options are the options available to us, so we either need to exempt them, exempt them with conditions, or provide them with student licenses because they are required by law – anyone is required by law – to have a license if they are engaged in the act of interpreting, which is defined in #15. We can add exemptions in the exemption statute, the piece of the statute that says anyone who's doing interpreting while they're engaged in their own profession

for which they're certified and licensed, there's areas where we can add an exemption specifically for students. That's certainly an option. That's something that we have looked at. Another option that we've looked at is providing them an exemption with conditions and that's the issue we're discussing now. The conditions would be supervision in certain settings. The other option was providing them with student licensure and that was an option that we already investigated and decided we did not want to pursue. So the two options we have left to us are complete exemption, which means they would not be required to follow any of these laws or rules, would not be considered as an interpreter at all, or we could pursue the exemptions with the conditions, which is what we're discussing today. Something has to change in the statute.

Loretto Durham – And it sounded like people were moving toward the exemption for students that are registered in an accredited interpreter training program and in the practicum class – that's the wording that I was concerned about. Including in there, a student registered in an accredited interpreter training program and is registered in the practicum class and has practicum certification issued by MCD, is not considered to be interpreting when the student is providing services approved and assigned to them by their own PT instructor. That's what I'm wondering.

Pam Goose – My understanding of our question to the AG's office at this time is exactly what John brought up, because the definition of interpreter says any person who offers to render interpreting services implying that he is trained – that's the number 1 question – a student would not imply that he/she is trained and experienced in interpreting. They are students. So I think that's the question that we need answered because I don't know that any of the others have ever looked at it in that way. I think we've asked the Attorney General's office and if you just read it and don't think about it in those sections, that it sounds like anybody that's interpreting needs to be licensed.

Sandy Drummond – Right. But we have people who call themselves teacher's aids who are doing interpreting work, that we pursue complaints against all the time because they're not licensed. They're not called interpreters, they're called teachers aids. We have teachers who are doing interpreting who are not called interpreters, and who are doing interpreting and we pursue complaints against them because they are not certified and licensed to interpret. So it's been the interpretation before that the definition of interpreting is what makes us decide whether someone is violating law or not, not the definition of the label interpreter. There are people out there who are doing interpreting who are not calling themselves interpreter. So that's always been our past interpretation. We can certainly wait to get some advice from council on the definition of interpreter.

Loretto Durham – I agree with Sandy, when we're looking at the law if the person is considered to be interpreting, anyone who is interpreting, not necessarily an interpreter, but who is interpreting, has to have license. And we already have that definition.

Lisa Guillory – I still feel that it goes back to number 13 in that if you say – even though we have a definition of interpreting – you're saying that a person who implies that he is trained and experienced in interpreting. So it's not the definition that is causing the problem, it's number 13 or should I say depending on how you view paragraph 13 you could say that a student is not holding themselves out as being trained and experienced, in interpreting.

Sandy Drummond – So what that means is students are not violating the part of the law which says you can not claim to be an interpreter or licensed interpreter, but it doesn't say that they're not interpreting. The exemption statutes all start with this is not considered to be interpreting if this, this, and that. So the way the exemption statute has always been written is all about what is interpreting what is not interpreting. So that's why I'm thinking that the interpreting definition

is what everything else hinges on and maybe that's not correct. Maybe we should wait until we hear from council at the next meeting about whether or not the rest of the law, the code of ethics, the licensure requirement, what that hinges on, does it hinge on the definition of number 15 on interpreting, or the definition on number 13, the interpreter. And maybe that would answer our questions.

Loretto Durham – I don't think that's going to answer all our questions I think it's going to cause more problems, because nurses that are going into the emergency room aren't calling themselves interpreters.

Lisa Guillory – I don't think we can look at what nurses and teachers are doing right now if we're just talking about students, is that if we need an exemption then perhaps that's the place to change the statute, is the paragraphs that deal with exemption. And just exempt the students and outline the situations.

Loretto Durham – That's what I said.

Sandy Drummond – Okay, well sometimes we have to go in a circle to get back to where we were, that's alright.

Loretto Durham – No.

Loretto Durham -- Susan McBeth wants to know which part of the law we're talking about making changes to. Would we still be talking about on page 13 – that was what we were talking about number 13 and number 15, those definitions, but instead of changing that I think the idea is to propose an exemption for students so it wouldn't be in here at all, it would be totally new. Am I correct in that explanation?

Dr. Miller – I think I can shed a little bit of light on this issue, one I absolutely agree on 110%. The statute needs clarification. I've already begun discussions at the BCI about this scary problem. All statutes and all statutory language can be interpreted either broadly, widely, generally, or it can be interpreted narrowly, and the constructionist point of view. Some statutes are written with definitions that are generated from the public policy perspective. And some statutes are written generated from some kind of technical language perspective. I'll be honest to say I wasn't here when this was written so I don't claim any responsibility for it. It's clear to me that the language and the definitions that are here are definitions that come out of interpreting text books that come out of the professions jargon, the practice of interpreting is the translation of this language to that language, blah, blah, blah. Now when I came I said to somebody who is this law basically supposed to cover? It has nothing to do with this technical language, I'm asking a question like if I'm sitting in a restaurant and my wife, who knows sign language, interprets for me what the waiter is saying because I'm having trouble ordering, is that person – were they intended to be covered by this statute? I'm asking, a volunteer – who is not paid – in church, goes to her church and voluntarily interprets for that church service, were they intended to be covered by this statute? If a mother who is hearing has a child who is deaf, the child has to go to the doctor's office and the mother is the only person in the world the child trusts, fully understands, etc., is the mother violating the law if she says a few things in the doctor's office for her son or daughter. There is nothing in the language of this statute to tell us who it was meant to cover. Is this statute really only to cover the professional person who offers their services to the general public on a paid basis, which is usually a notion of professions. That's not necessarily clear in our statute at all. What happens then is that someone reads this and says this applies to everybody in every circumstance no matter what, and if you don't think that then we have to change the statute and formally exempt them. That's strict language interpretation. Somebody else is sitting on the other side of the room and is saying there is no

way that in the state of Missouri when this law was passed, that it was intended to effect that little old 90 year old lady who is volunteering to flash her hands in church on Sunday. Separation of church and state – we'll get into the most awful mess that we could ever imagine if we in fact get in to the question do we have to formally write into the statute an exemption for volunteers in church on Sunday. Rather what we're doing, of course, is we're all interpreting the statute as best we can in our own frame of reference. But remember your frame of reference is not necessarily mine and mine is not necessarily hers. There are great areas of gray in this definition. I agree it needs change, I started the dialogue to change it, and I welcome the SCI to get involved in that dialogue about how we can make meaningful contributions to clarify our definitions as to who it is this statute applies to. I want to invite all of you to come to our next BCI meeting and to really discuss this because this issue is a super important issue, in contrast to what we just wasted a lot of time with a little earlier. Who this statute effects, determines all of our behaviors at all the time. I want to encourage you to work with us on trying to redefine this into a more reasonable and clear fashion.

Lisa Betzler – What I'd like to add to Dr Miller's comments is, as you all know I'm deaf, you all know I'm deaf. I have 3 sons. And sometimes they answer the phone when it rings for me – is that interpreting for me. Or somebody comes to the door – there is always something. Would you define that as interpreter, are you telling me that you'd punish the children? They're innocent, just think about these decisions. The most important thing is that we have communication. Exempt these people.

John Adams – We do have the statute that does specify the situation that Dr Miller has talked about where he's at a restaurant with his wife, who interprets for him because he has trouble understanding the waiter – or the 90 year old woman volunteering in church, it's 209.321 on page 4, paragraph 4, at the very top of the page, for interpreting in a casual setting or if the person is acting as an interpreter gratuitously. And the same as Lisa's children, those are casual settings they would be interpreting gratuitously. And so therefore they wouldn't not be considered to be....

Dr. Miller – I want to strongly interject and object. There are people that will argue that church is not a casual setting and there are people who will argue that a boy scout meeting is not a casual setting. Whether it is a casual setting depends upon your view of those words. Again, it's that perspective issue. So, just because I've got a view on what that word interpreting as a volunteer or in a casual setting or incident of travel because I have the feeling for what that means, that doesn't necessarily indicate that that's what a judge would agree with what it means if it ever went to court. I would admonish all of you, there has not been one court case in the state of Missouri involving our statutory language. We're all talking about different views and different perspectives we are not talking about legally adjudicated reasoning or legally adjudicated language.

Lisa Betzler – I would like to also insert that if you're talking about students everyone involved has signed permission, no one is representing themselves as doing anything but student work. I still would like to ask this board to accept the language as written by Loretto and exempt the practicum student, as she wrote the requirement.

Loretto Durham – We might not need that exemption at all if this exemption already covers an interpreters providing the service gratuitously.

John Adams -- And I think that should be requested of the legal council for advice on that at our next meeting.

Lisa Betzler – Hold it. Hold it. Wait a minute. I do not want this to go to another meeting. It's been going all summer, it's been going on and on and on. No. I'm saying make a decision today, please. Finish this issue. You're wasting everyone's time, our time, your time – please, why are you pursuing this? Make a decision.

Loretto Durham – If you all feel strongly that we need to have legal council, then I suggest that we move into a closed session right now, get the answer to that question.

A motion was made by Mr. Adams and seconded by Ms. McCray to go into close session for #2 at 3:45pm. Mr. Adams. Ms. McCray, Ms. Drummond and Dr. Guillory all approved.

Loretto Durham -- It has been decided that we will need to wait for more information from our legal council before we can actually make a decision. Do we need to have a motion to table this until our next meeting?

A motion was made by Dr. Guillory and seconded by Ms. McCray to table this issue until the next meeting until we have more information from our legal counsel. Mr. Adams. Ms. McCray, Ms. Drummond and Dr. Guillory all approved.

Next meeting date: January 24 – 10:00am to 4:00pm at the Division of Professional Registration building.

Ms. McCray left at 4:00pm

Discussion of letter to the school districts:

Ms. Groose indicated that a sample letter was included for the committee's review and that Ms. McCray had also obtained the names of the school districts that had deaf students and that the suggestion was to send this letter to those school only to cut down on costs. A motion was made by Dr. Guillory to send the letter only to the school districts that have deaf students to cut down on postage. Dr. Miller indicated that a letter had recently been sent to all of the schools from the Commissioner of Education that basically indicated this information. Dr. Guillory withdrew after the committee members discussed this and decided that the letter did not need to be sent in light of education's recent letter to all of the schools.

Report from Executive Director

- Newsletter – Committee members requested that this be added to the website and add discussing the next newsletter on the agenda for the next meeting.
- Financial Report – Ms. Groose noted that the 5 year financial projections include a pay back for the start up loans.
- Per Diem Policy - A motion was made by Dr. Guillory and seconded by Mr. Adams accept the Per Diem policy as written. All approved.

Rules:

4 CSR 232-3.010 – Ms. Groose reported that this is the skill level rule and it will be published on December 15, 2002. She said comments received in regard to this rule will be shared with the committee members at the next meeting.

4 CSR 232-1.035 - Ms. Groose indicated that this is the proposed language that mandates that a licensee must respond within 30 days from the date of a written request/inquiry. The committee discussed this proposed rule requested that Ms. Hamilton look at 4 CSR 232-3.011, number 18 and possibly draft language which would include the proposed draft language of the licensee responding within 30 days and the consumer consent.

MCD / BCI Reports

Dr. Miller said that in the last MCD meeting they approved conversions for the Illinois and Mississippi certification system and they agreed to set up a task force to study the whole CDI issue area. He said the next meeting for MCD has not been scheduled yet. He said their wasn't a quorum present for the BCI meeting.

A motion was made by Ms. Drummond and seconded by Dr. Guillory to table the rest of the items to the next meeting. All approved.

A motion was made by Dr. Guillory and seconded by Ms. Drummond to adjourn at 4:30pm. All approved.

Executive Director Signature

Date approved by Committee